

**APPROVED**  
**AFFORDABLE HOUSING ADVISORY COMMITTEE**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**100 NORTH ANDREWS AVENUE**  
**8<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**MONDAY, SEPTEMBER 26, 2016 – 9:00 A.M.**

<b>Board Members</b>		<b>Attendance – July 2016 through June 2017</b>	
		<b>Present</b>	<b>Absent</b>
Roosevelt Walters, Chair	P	2	0
Edwin Parke	P	2	0
Brian Poulin	P	2	0
**Skeet Jernigan	P	2	0
Peter Cooper	P	2	0
*Katharine Barry ( <i>Appt. 1/5/16</i> )	P	2	0
*Mitchell Rosenstein ( <i>Appt. 2/2/16</i> )	P	2	0
*Fran Epstein ( <i>Appt. 6/16</i> )	P	2	0
*Debbie Orshefsky ( <i>Appt. 9/16</i> )	P	1	0
*Donnalee Minot ( <i>Appt. 9/16</i> )	P	1	0

\*Members were appointed after July 2015

\*\*Skeet Jernigan reinstated 04/29/2016 per Vice Mayor Dean Trantalis

At this time, there are 10 appointed members to the Board, which means 6 would constitute a quorum.

**Staff**

Avis Wilkinson, Housing Programs Administrator / Staff Liaison

Lynn Solomon, Assistant City Attorney

Kerry Arthurs, Senior Accounting Clerk

Claudia Goncalves, Housing Rehabilitation Financial Aide

Mona Laventure, Prototype, Inc.

**Communication to the City Commission**

None.

**I. ROLL CALL / DETERMINATION OF A QUORUM**

Chair Walters called the meeting to order at 9:00 a.m. Roll was called and it was noted a quorum was present. All members, including new members Debbie Orshefsky and Donnalee Minot, introduced themselves at this time.

Ms. Barry and Mr. Parke arrived at 9:07 a.m.

Mr. Rosenstein arrived at 9:09 a.m.

## **II. APPROVAL OF MINUTES – June 13, 2016 & July 11, 2016**

Chair Walters observed that the May 9, 2016 meeting minutes are also presented for approval as corrected.

**Motion** made by Mr. Cooper, seconded by Mr. Poulin, to approve the minutes from May. In a voice vote, the **motion** passed unanimously.

Ms. Epstein noted a correction to the June 13, 2016 minutes: she had not yet been appointed to the Committee at the time of the June meeting, and therefore was not absent.

**Motion** made by Mr. Poulin, seconded by Mr. Cooper, to accept the minutes with the amendment that [Ms. Epstein] suggested. In a voice vote, the **motion** passed unanimously.

**Motion** made by Mr. Poulin, seconded by Mr. Rosenstein, to approve the minutes of July 11. In a voice vote, the **motion** passed unanimously.

## **III. OLD BUSINESS**

### **• Final Affordable Housing Trust Ordinance Review**

Chair Walters noted that copies of the final Affordable Housing Trust Ordinance were provided to the Committee members via email. Ms. Epstein requested an overview of significant changes to the document's language.

Mr. Jernigan advised that the Committee was tasked with assisting the City Attorney's Office in the creation of the Affordable Housing Trust Fund Ordinance; there was no such Ordinance previously on the City's books. He briefly reviewed Section 4 of the document, which refers to a continuing funding source, and noted that the Ordinance provides for funds from the sale of City lots to be placed in the Affordable Housing Trust Fund. The Committee also plans to discuss a future Ordinance to determine how affordable housing can be best achieved within Fort Lauderdale, possibly including the sale and/or use of City-owned single-family lots.

Mr. Poulin stated that the document captured what the Committee has worked to achieve for the past few years. Ms. Barry observed, however, that the document does not go far enough, as it implies all City lots will be sold to the highest bidder rather than used for affordable housing.

Mr. Jernigan recalled that at an earlier meeting, the City Manager had made a commitment to the Committee to ensure that single-family lots will be used for affordable housing. He recommended that the Committee address this issue once more when they move on to discuss a prospective Ordinance on achieving affordable housing, as City officials may believe many of the single-family lots would not be desirable for the construction of housing due to their location. Ms. Barry agreed that this should be reiterated to the City Manager and City Commission.

Chair Walters characterized the prospective Ordinance as a work in progress, as situations and funding sources are subject to change. He pointed out that if the proposed Broward County sales surtax initiative passes referendum, some of the City funds dedicated to infrastructure improvements could be used toward affordable housing over the next 30 years.

Ms. Orshefsky asked if the City-owned lots' value has been calculated, and suggested that a set amount of the cost of each lot sold could be placed in a fund for dedicated use. Mr. Poulin replied that the intent is to leverage these dollars by establishing a trust fund, with the means of adding to the fund yet to be determined.

Assistant City Attorney Lynn Solomon stated that the Committee may add more sources of funding to its recommendation to the City Commission. She cautioned, however, that any other funding sources under consideration must be permitted by law and may not violate other regulations.

Ms. Orshefsky suggested that language allowing for the identification of additional funding sources to expand the Affordable Housing Trust Fund as permitted by law be added to Section 4 of the draft Ordinance.

**Motion** made by Ms. Orshefsky, seconded by Mr. Jernigan, to add "allocate other additional funds into the Trust Fund as permitted by law" to Section 4. In a voice vote, the **motion** passed unanimously.

Mr. Jernigan recalled that the draft Ordinance had previously referred to an amount in excess of \$300,000 in the Trust Fund. He asked for the current balance of this account, as well as the fund account number. Ms. Wilkinson advised that some of these funds were used to pay for a study conducted by Florida International University (FIU), and that she would update the Committee on the fund balance via email. She confirmed that the amount was at least \$300,000 before this expense.

Mr. Jernigan continued that he wished to ensure that either all the funds in this account, or at least \$300,000, whichever is greater, be transferred into the Trust Fund. Attorney Solomon stated that she may identify the account in the draft Ordinance by its account number without referring to a specific amount. Mr. Jernigan concluded that Section 3 could be left as currently written.

Ms. Wilkinson pointed out that the original intent for the \$300,000 was to place these funds in the Affordable Housing Trust Fund. She recommended that the Committee accept the recommendation to place the entirety of the account balance into the Fund, and reiterated that she would email this information to the Committee members.

**Motion** made by Ms. Barry, seconded by Mr. Poulin, to put in whatever the actual amount is [into the Affordable Housing Trust Fund].

Ms. Barry **withdrew** her **motion**, stating that she would wait for the provision of the account balance.

**Motion** made by Mr. Poulin, seconded by Mr. Jernigan, to list the account number and say whatever is in the account gets transferred. In a voice vote, the **motion** passed unanimously.

Mr. Jernigan asked if there is another draft Ordinance on this topic, prepared by City administration or the City Attorney's Office, which might also be transmitted to the City Commission for discussion. Attorney Solomon replied that she knew of no reason the City Attorney might submit other recommendations, as there are no legal impediments in the draft Ordinance to be submitted by the Committee.

Attorney Solomon continued that the funds in question are neither State nor U.S. Department of Housing and Urban Development (HUD) funds, and therefore are not controlled by any of the regulations that typically govern use of State or federal funds. They will be governed entirely by the Ordinance. She added that the policy issues recommended by the Committee will be discussed by the City Commission.

**Motion** made to approve the Ordinance and send it on to the City Commission as amended. [The **motion** died for lack of second.]

Chair Walters asked if the draft Ordinance would come back to the Committee again after their recommended changes are made. Ms. Wilkinson replied that she would send the members a copy of the revised draft Ordinance via email, and it would be finalized and voted upon at their October meeting. Mr. Poulin reminded City Staff to include both the appropriate account number and the current account balance in the revised document.

Mr. Parke noted that Section 2 of the draft Ordinance refers to workforce housing as well as to affordable housing. He suggested that the document include more language to tie these two types of housing together. Mr. Rosenstein observed that Section 5 of the draft Ordinance provides the Committee with an opportunity to shape how funds will be allocated, including the possibility of an allocation to workforce housing.

- **City Monitoring of Affordable Housing Developments**

Ms. Wilkinson stated that Principal Planner Jim Hetzel was unable to attend today's meeting to discuss this Item; however, he will provide her with materials to email to the Committee members in advance of their next meeting, where the Item will be presented.

**Motion** made by Mr. Jernigan, seconded by Mr. Poulin, to table [the Item].

Mr. Jernigan commented that he would like to know the number of affordable housing developments and units the City has approved. He emphasized the need for an appropriate monitoring system for affordable housing. Ms. Wilkinson explained that the presentation will be related to the private developers who come directly to the City. Affordable housing is done through the Department of Housing and Community Development as well as through State and federal initiatives, and the City monitors these projects as required. The presentation will focus on affordable housing units planned outside the jurisdiction of this required monitoring.

Ms. Epstein noted that under the City's current Land Use Plan, developers must either include a number of affordable housing units or provide a contribution to an Affordable Housing Trust Fund. She suggested that it would be helpful to understand all the regulations governing affordable housing units. Ms. Wilkinson advised that the presentation will focus on steps taken outside the City's affordable housing program. An Affordable Housing Incentive Plan is developed by the Committee and provided to the City every three years. This Plan addresses all possible affordable housing strategies, based on Florida's Affordable Housing Statute. The City Commission is not required to vote on the Plan, but is simply asked to accept it.

Mr. Jernigan commented that the Committee should review the Affordable Housing Incentive Plan and determine if its strategies would work in an Ordinance for the provision of affordable housing. He asked how the City monitors the affordable housing units provided by mainstream developers in the past.

Ms. Epstein requested an overview on federal and State sources of funding for affordable housing in order to determine what is currently available to meet the City's needs and identify shortfalls. Chair Walters asked that this be placed on a future Agenda for discussion. Mr. Rosenstein asked that copies of the affordable housing study performed by FIU also be provided to the Committee members, and recommended that a County document analyzing the scope of Broward County's affordable housing needs also be provided.

Chair Walters observed that Fort Lauderdale already includes a great deal of affordable housing, while other Broward County municipalities have little to none. He noted, however, that this is outside the Committee's control.

Mr. Jernigan recalled that United Way recently commissioned a report called Asset Limited, Income Constrained, Employed (ALICE), which examines the need for

affordable housing in all Broward communities. Ms. Wilkinson confirmed that she would send this report to the Committee members as well.

#### **IV. NEW BUSINESS**

- **Conflict of Interest under Section 112.313(7)(a), Florida Statutes**

Ms. Wilkinson provided a handout on Conflict of Interest for Board and Committee members, advising that all members should attend the City's training sessions for members of advisory entities when they are scheduled.

#### **V. AGENDA TOPICS FOR NEXT MEETING**

No additional items were proposed at this time.

#### **VI. GOOD OF THE ORDER**

None.

#### **VII. NEXT SCHEDULED MEETING DATE – October 10, 2016 – City Hall, 1<sup>st</sup> Floor, City Commission Chambers**

#### **VIII. ADJOURNMENT**

There being no further business to come before the Board at this time, the meeting was adjourned at 10:13 a.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]